federal register

MONDAY, APRIL 5, 1976

PART III:

PRIVACY ACT OF 1974

■

Various Agencies

NATIONAL COMMISSION ON SUPPLIES AND SHORTAGES

[1 CFR Part 435]

PRIVACY ACT OF 1974

Proposed Regulations for Implementation

The following Proposed Regulations, drafted in accordance with Section (f) of the Privacy Act of 1974, are hereby offered for public comment. Interested parties have until April 30, 1976, to submit comments, which should be addressed to the Counsel, National Commission on Supplies and Shortages, 1750 K Street, N.W., Room 800, Washington, D.C. 20006.

Signed this 31st day of March 1976.

GEORGE C. EADS,
Executive Director.

It is proposed to add the following Part 435 to Title 1 of the CFR:

PART 435—PRIVACY ACT IMPLEMENTATION

Sec.

435.1 Purpose and scope.
435.2 Definitions.
435.3 Procedures for requests pertaining to individual records in a record system.
435.4 Times, places, and requirements for the identification of the individual making a request.
435.5 Disclosure of requested information to the individual.
435.6 Request for correction or amendment to the record.
435.7 Agency review of request for correction or amendment of the record.
435.8 Appeal of an initial adverse agency determination on correction or amendment of the record.
435.9 Disclosure of record to a person other than the individual to whom the record pertains.
435.10 Fees.

AUTHORITY: Public Law 93-426, September 30, 1974.

§ 435.1 Purpose and scope.

The purposes of these regulations are to:

(a) Establish a procedure by which an individual can determine if the National Commission on Supplies and Shortages (hereafter known as the Commission) maintains a system of records which includes a record pertaining to the individual; and

(b) Establish a procedure by which an individual can gain access to a record pertaining to him or her for the purpose of review, amendment and/or correction.

§ 435.2 Definitions.

For the purpose of these regulations—

(a) The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(b) The term "maintain" includes maintain, collect, use or disseminate;

(c) The term "record" means any item, collection or grouping of information about an individual that is maintained by the Commission, including, but not limited to, his or her employment history, payroll information, and financial transactions and that contains his or her name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as social security number;

(d) The term "system of records" means a group of any records under the control of the Commission from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual; and

(e) The term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§ 435.3 Procedures for requests pertaining to individual records in a record system.

An individual shall submit a request to the Administrative Officer of the Commission to determine if a system of records named by the individual contains a record pertaining to the individual. The individual shall submit a request to the Administrative Officer of the Commission which states the individual's desire to review his or her record.

§ 435.4 Times, places, and requirements for the identification of the individual making a request.

An individual making a request to the Administrative Officer of the Commission pursuant to § 435.3 shall present the request at the Commission offices, Room 800, 1750 K Street, N.W., Washington, D.C. 20006, on any business day between the hours of 9 a.m. and 5 p.m. The individual submitting the request should present himself or herself at the Commission's offices with a form of identification which will permit the Commission to verify that the individual is the same individual as contained in the record requested.

§ 435.5 Disclosure of requested information to the individual.

Upon verification to identify the Commission shall disclose to the individual the information contained in the record which pertains to that individual.

§ 435.6 Request for correction or amendment to the record.

The individual should submit a request to the Administrative Officer of the Commission which states the individual's desire to correct or to amend his or her record. This request is to be made in accord with the provisions of § 435.4.

§ 435.7 Agency review of request for correction or amendment of the record.

Within ten working days of the receipt of the request to correct or to amend the record, the Administrative Officer of the Commission will acknowledge in writing such receipt and promptly either—

(a) Make any correction or amendment of any portion thereof which the individual believes is not accurate, relevant, timely, or complete; or

(b) Inform the individual of his or her refusal to correct or to amend the record in accordance with the request, the reason for the refusal, and the procedures established by the Commission for the individual to request a review of that refusal.

§ 435.8 Appeal of an initial adverse agency determination on correction or amendment of the record.

An individual who disagrees with the refusal of the Administrative Officer of the Commission to correct or to amend his or her record may submit a request for a review of such refusal to the Counsel of the National Commission on Supplies and Shortages, Room 800, 1750 K Street, NW., Washington, D.C. 20006. The Counsel will, not later than thirty working days from the date on which the individual requests such review, complete such review and make a final determination unless for good cause shown, the Counsel extends such thirty day period. If, after his or her review, the Counsel also refuses to correct or to amend the record in accordance with the request, the individual may file with the Commission a concise statement setting forth the reasons for his or her disagreement with the refusal of the Commission and may seek judicial review of the Counsel's determination under 5 U.S.C. 552a(g)(1)(A).

§ 435.9 Disclosure of record to a person other than the individual to whom the record pertains.

The Commission will not disclose a record to any individual other than to the individual to whom the record pertains without receiving the prior written consent of the individual to whom the record pertains, unless the disclosure has been listed as a "routine use" in the Commission's notices of its system of records.

§ 435.10 Fees.

If an individual requests copies of his or her record, he or she shall be charged ten cents per page, excluding the cost of any search for review of the record, in advance of receipt of the pages.

[FR Doc.76-9636 Filed 4-2-76;8:45 am]

NATIONAL COMMISSION ON SUPPLIES AND SHORTAGES

PRIVACY ACT OF 1974

Record Systems

The following Notices of Record Systems prescribed by section e(4) of the Privacy Act of 1974, and the routine uses thereof, are hereby offered for public comment. These four (4) Record Systems are the only ones in our inventory. Interested parties have until April 30, 1976, to submit comments, which should be addressed to the Counsel, National Commission on Supplies and Shortages, 1750 K Street NW., Room 800, Washington, D.C. 20006.

Signed this 31st day of March 1976.

GEORGE C. EADS,
Executive Director.

ALPHABETICAL LISTING OF SYSTEM NAMES

Financial Records—NCSS
Payroll Records—NCSS
Personnel Files—NCSS
Personnel Security Files—NCSS

NCSS-1

System name: Financial Records—NCSS.

Location: General Services Administration Central Office, 18th and F, NW., Washington, D.C. 20405; copies held by the Commission. (GSA holds records for the Commission under Memorandum of Understanding and Agreement.)

Category of individual: Commission Members and Employees; Members of Advisory Committee to the Commission.

Category of record: Official Travel Authorizations; Government Transportation Requests; Travel Vouchers; Claims for Reimbursement for Expenditures on Official Business; Vendor Register and Vendor Payment Tape.

Authority: Public Law 93-426, September 30, 1974.

Routine uses: Payment of travel claims; records are also released to GAO for audits, to the IRS for investigations, to the CSC concerning pay, benefits, retirement deductions and other information necessary for the Commission to carry out its Government-wide personnel management functions; and to private attorneys pursuant to a power of attorney. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Record management policy and practice: Storage: Paper and tape. Retrievability: By name, manual and automated.

Safeguards: Stored in guarded building in locked files; released only to authorized personnel.

Retention and disposal: In accordance with the GSA Records Maintenance and Disposition System; Commission copies destroyed at termination of Commission, March 31, 1977.

System manager: Administrative Officer, National Commission on Supplies and Shortages, 1750 K Street NW., Room 800, Washington, D.C. 20006.

Notification: Same as above.

Access and contest: Same as above.

Sources of information: Individuals on whom records maintained.

NCSS-2

System name: Payroll Records—NCSS.

Location: General Services Administration Region 3, 7th and D, SW., Washington, D.C. 20407; copies held by the Commission. (GSA holds records for the Commission under Memorandum of Understanding and Agreement.)

Category of individual: Commission Members and Employees; Members of Advisory Committee to the Commission.

Category of record: Varied payroll records including time and attendance cards, payment vouchers, comprehensive listings of employees, health benefits and Government life insurance records, requests for deductions, tax forms, W-2 forms, leave data, retirement records, notification of personnel actions.

Authority: Public Law 93-426, September 30, 1974.

Routine uses: Preparation of salary checks and maintenance of leave records; records are also released to GAO for audits, to the IRS for investigations, to the CSC concerning pay, benefits, retirement deductions and other information necessary for the Commission to carry out its Government-wide personnel management functions; and to private attorneys pursuant to a power of attorney. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Record management policy and practice: Storage: Paper and tape. Retrievability: Social Security Number. Safeguards: Stored in guarded building in locked files; released only to authorized personnel. Retention and disposal: In accordance with the GSA Records Maintenance and Disposition Systems; Commission copies destroyed at termination of Commission, March 31, 1977.

System manager: Administrative Officer, National Commission on Supplies and Shortages, 1750 K Street NW., Room 800, Washington, D.C. 20006.

Notification: Same as above.

Access and contest: Same as above.

Sources of information: Individuals on whom records maintained.

NCSS-3

System name: Personnel Files—NCSS.

Location: General Services Administration Central Office, 18th and F, NW., Washington, D.C. 20405; copies held by the Commission. (GSA holds records for the Commission under Memorandum of Understanding and Agreement.)

Category of individual: Commission Members and Employees; Members of Advisory Committee to the Commission.

Category of record: Standard Forms 171 (Personal Qualifications Statements) or Resumes of Educational Background and Experience; Appointment Affidavits; Tax Forms; Personnel Action Requests; Notifications of Personnel Actions; Government Life Insurance and Health Benefits Applications, Declinations or Waivers; Miscellaneous Requests for Payroll Deductions.

Authority: Public Law 93-426, September 30, 1974.

Routine uses: Official personnel actions; records are also released to GAO for audits, to the IRS for investigations, to the CSC concerning pay, benefits, retirement deductions and other information necessary for the Commission to carry out its Government-wide personnel management functions; and to private attorneys pursuant to a power of attorney. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Record management policy and practice: Storage: Paper and tape. Retreivability: By name, manual and automated. Safeguards: Stored in guarded building in locked files; released only to authorized personnel. Retention and disposal: In accordance with the GSA Records Maintenance and Disposition System; Commisison copies destroyed at termination of Commission, March 31, 1977.

Systems manager: Administrative Officer, National Commission on Supplies and Shortages, 1750 K Street NW., Room 800, Washington, D.C. 20006.

Notification: Same as above.

Access and contest: Same as above.

Sources of information: Individuals on whom records maintained.

NCSS-4

System name: Personnel Security Files—NCSS.

Location: General Services Administration Central Office, 18th and F, NW., Washington, D.C. 20405; copies held by the Commission. (GSA holds records for the Commission under Memorandum of Understanding and Agreement.)

Category of individual: Commission Employees.

Category of Record: Background information for security clearances.

Authority: Public Law 93-426, September 30, 1974.

Routine uses: Issuance of security clearances; a record from this system of records may be disclosed to a Federal agency in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee to the extent that the material is relevant and necessary to the requesting agency. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Record management policy and practice: Storage: Paper and tape. Retrievability: By name, manual and automated.

Safeguards: Stored in guarded building in locked files; released only to authorized personnel.

Retention and disposal: In accordance with the GSA Records Maintenance and Disposition System; Commission copies destroyed at termination of Commission, March 31, 1977.

System manger: Administrative Officer, National Commission on Supplies and Shortages, 1750 K Street NW., Room 800, Washington, D.C. 20006.

Notification: Same as above.

Access and contest: Same as above.

Sources of information: Individuals on whom records maintained.

[FR Doc.76-9635 Filed 4-2-76;8:45 am]

Energy Research and Development Administration

Privacy Act of 1974

Proposed New System of Records

Notice is hereby given that the Energy Research and Development Administration (ERDA) is proposing a new system of records to be known as 0"ERDA-42 Document Distribution System". ERDA has submitted to the Congress and the Office of Management and Budget (OMB) a New System Report in accordance with Section (o) of the Privacy Act 5 U.S.C. 552a, and the OMB Guidelines issued thereunder. A copy of the report, including the Narrative Statement of the proposed new system is submitted to the Federal Register with this notice and although not published herewith, is on file and available for inspection at the Office of the Federal Register as well as being available at the ERDA Public Document Room, 20 Massachusetts Avenue, NW, Washington, D. C. 20545. The new system is intended to enable ERDA to compile mailing lists for the distribution of the numerous kinds of announcements and information constantly being produced in the performance of its functions.

The Description and Purpose paragraphs excerpted from the Narrative Statement of the proposed new system report and the proposed New System Notice for ERDA-42 compiled as prescribed by section (e)(4) of 5 U.S.C. 552a, are attached.

All interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed notice of new system of records should send them to the Privacy Act Administration Officer, Energy Research and Development Administration, 20 Massachusetts Avenue, NW, Washington, D. C. 20545 by April 30, 1976. Comments received after the date will be given consideration to the extent practicable. Comments on the proposed document may be examined at the ERDA Public Document Room (address above).

Authority 42 U.S.C. 5815; 42 U.S.C. 2201; and 5 U.S.C. 552a.

Date March 26, 1976

Raymond G. Romatowski,
Assistant Administrator for Administration.

New System Report - Privacy Act

Proposed New System ERDA-42 - Document Distribution System

Excerpts from NARRATIVE SUMMARY

Discription of proposed new system: This system is intended to enable the Energy Research and Development Administration (ERDA) to compile mailing lists for the distribution of the numerous kinds of announcements and information constantly being produced in the performance of its functions. Under the proposed system, persons desiring to be supplied with information (or announcements of availability of information) on a continuing basis would complete a voluntary, supplementary questionnaire to identify inter alia, their occupations, fields of interest, and other related data. When information is issued, for example, in the fields indicated, or of interest to the occupation indicated, persons can be notified or supplied with appropriate announcements. Requests for a specific series of published information can be dealt with separately from general open requests for whatever may become available in designated fields of interest. An individual who does not desire to be on a mailing list for future distributions will merely specify his specific or immediate requests which will be processed on a one-time basis and will not be stored in the computer. The request of an individual will not be denied because he does not fill out the questionnaire designed by the various program divisions to elicit data about persons requesting information of interest regarding that program. The mailing lists made up therefrom and the data received will be combined with similar lists and similar data from other programs. Together these lists and this data will form ERDA's System 42.

Purpose of the System: The purpose of the system is to enable the assembly and maintenance of (a) general mailing lists, (b) particular mailing lists according to the subject matter or other indicated interests or characteristics of members of the requesting public, as appropriate, (c) to produce name/address mailing labels, and (d) to identify the interested public for the purpose of planning of information distribution.

The system will be computer based and will enable production of various mailing lists on the wide variety of subjects on which the agency is working. The distribution lists will be used either for the purpose of circulating announcements of availability of information to the interested public, or for distribution of the information publications themselves, generally or specifically, as appropriate.

ERDA 42

System name: Document Distribution System - ERDA

System location:

U.S. Energy Research and Development Administration (Headquarters)
Washington, D.C. 20545

U.S. Energy Research and Development Administration
Albuquerque Operations Office
P.O. Box 5400
Albuquerque, New Mexico 87115

U.S. Energy Research and Development Administration
Bartlesville Energy Research Center
Box 1398
Bartlesville, Oklahoma 74003

U.S. Energy Research and Development Administration
Chicago Operations Office
9800 South Cass Avenue
Argonne, Illinois 60439

U.S. Energy Research and Development Administration
Grand Forks Energy Research Center
University Station
Grand Forks, North Dakota 58201

U.S. Energy Research and Development Administration
Idaho Operations Office
550 2nd Street
Idaho Falls, Idaho 83401

U.S. Energy Research and Development Administration
Laramie Energy Research Center
P.O. Box 3395
University Station
Laramie, Wyoming 82070

U.S. Energy Research and Development Administration
Morgantown Energy Research Center
Box 880
Morgantown, West Virginia 26505

U.S. Energy Research and Development Administration
Nevada Operations Office
P.O. Box 14100
Las Vegas, Nevada 89114

U.S. Energy Research and Development Administration
Oak Ridge Operations Office
P.O. Box E
Oak Ridge, Tennessee 37830

U.S. Energy Research and Development Administration
Pittsburgh Energy Research Center
4800 Forbes Avenue
Pittsburgh, Pennsylvania 15213

U.S. Energy Research and Development Administration
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

U.S. Energy Research and Development Administration
San Francisco Operations Office
1333 Broadway, Wells Fargo Building
Oakland, California 94616

U.S. Energy Research and Development Administration
Savannah River Operations Office
P.O. Box A
Aiken, South Carolina 29801

Categories of individuals covered by the system: Persons who have requested information which is distributed by ERDA on a routine basis.

Categories of records in the system: One record containing name and address and selection criteria.

Authority for maintenance of the system: PUB.L. 93-438.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For additional routine uses see Appendix AA.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, punched cards, magnetic tape and disk, and microfiche.

Retrievability: Records are retrieved by record identification code number and normally by type of information being disseminated, e.g., solar, nuclear, etc., or by the occupation, profession or other stated interest of an individual, or by selective distributions such as high schools interested in films or public interest organizations in a specific Federal Region.

Safeguards: Access limited to employee's with need in performance of duties. System maintained in buildings with controlled access. Computer information is controlled through established ERDA computer center procedures of personnel screening and physical security in secure building.

Retention and disposal: Records retention and disposal authorities are contained in ERDA, Manual Appendix 0230, "Records Disposition." Records within ERDA are destroyed by shredding, burning, or burial in a sanitary landfill as appropriate.

System manager(s) and address: Agency system manager -

The Director
Division of Administrative Services
Energy Research and Development Administration
Washington, D. C. 20545,

The managers and directors of field locations listed under Notification procedures below are designated system managers for their respective 0portions of this system.

Notification procedure: a. U.S. Energy Research and Development Administration, Privacy Act Administration Officer's Mail Addresses:

U.S. Energy Research and Development Administration (Headquarters)
Washington, D.C. 20545

U.S. Energy Research and Development Administration
Albuquerque Operations Office
P.O. Box 5400
Albuquerque, New Mexico 87115

U.S. Energy Research and Development Administrator
Bartlesville Energy Research Center
Box 1398
Bartlesville, Oklahoma 74003

U.S. Energy Research and Development Administrator
Chicago Operations Office
9800 South Cass Avenue
Argonne, Illinois 60439

U.S. Energy Research and Development Administrator
Grand Forks Energy Research Center
University Station
Grand Forks, North Dakota 58201

U.S. Energy Research and Development Administration
Idaho Operations Office
550 2nd Street
Idaho Falls, Idaho 83401

U.S. Energy Research and Development Administration
Laramie Energy Research Center
P.O. Box 3395
University Station
Laramie, Wyoming 82070

U.S. Energy Research and Development Administration
Morgantown Energy Research Center
Box 880
Morgantown, West Virginia 26505

U.S. Energy Research and Development Administration
Nevada Operations Office
P.O. Box 14100
Las Vegas, Nevada 89114

U.S. Energy Research and Development Administration
Oak Ridge Operations Office
P.O. Box E
Oak Ridge, Tennessee 37830

U.S. Energy Research and Development Administration
Pittsburgh Energy Research Center
4800 Forbes Avenue
Pittsburgh, Pennsylvania 15213

U.S. Energy Research and Development Administration
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

U.S. Energy Research and Development Administration
San Francisco Operations Office
1333 Broadway, Wells Fargo Building
Oakland, California 94616

U.S. Energy Research and Development Administration
Savannah River Operations Office
P.O. Box A
Aiken, South Carolina 29801

b. Required Identifying Information: Name as it appears on the mailing label or number as it appears on the mailing label.

Record access procedures: Refer to Notification Procedure.

Contesting record procedures: Refer to Headquarters.

Record source categories: Self-supplied by requestors.

NOTE: There will be no new ERDA rules or changes to previously published rules resulting from the addition of this new system of records.

[FR Doc.76-9244 Filed 4-2-76;8:45 am]

Would you like to know IF ANY CHANGES HAVE BEEN MADE IN CERTAIN TITLES OF THE CODE OF FEDERAL REGULATIONS without reading the Federal Register every day? If so, you may wish to subscribe to the "List of CFR Sections Affected."

?

List of CFR Sections Affected

$10.00 per year

The "List of CFR Sections Affected" is designed to lead users of the Code of Federal Regulations to amendatory actions published in the Federal Register, and is issued monthly in cumulative form. Entries indicate the nature of the changes.

Also available on a subscription basis . . .

The Federal Register Index

$8.00 per year

Indexes covering the contents of the daily Federal Register are issued monthly and annually. Entries are carried primarily under the names of the issuing agencies. Significant subjects are also carried.

A finding aid is included at the end of each publication which lists Federal Register page numbers with the date of publication in the Federal Register.

Order from: Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

Note to FR Subscribers: FR Indexes and the "List of CFR Sections Affected" will continue to be mailed free of charge to regular FR subscribers.